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City of Columbia Falls, Mike
Johnson and David G. Perry

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

TAMARA DOWNEN, Individually and as
Personal Representative for the ESTATE
OF STANLEY L. DOWNEN, Deceased,

Plaintiff,

vs.

MONTANA VETERANS' HOME;
STATE OF MONTANA DEPARTMENT
OF PUBLIC HEALTH AND HUMAN
SERVICES; CITY OF COLUMBIA
FALLS; MIKE JOHNSON and DAVID G.
PERRY,

Defendants.

Cause No. CV-13-121-M-DWM

STIPULATION AND JOINT PETITION
FOR APPROVAL OF SETTLEMENT
PURSUANT TO MONT. CODE ANN.
§ 2-9-303

Pursuant to Mont. Code Ann. § 2-9-303, the Plaintiff, Tamara Downen, individually and as Personal Representative for the Estate of Stanley L. Downen, Deceased, and the Defendants Montana Veteran's Home and State of Montana Department of Public Health and Human Services; City of Columbia Falls; Mike Johnson and David G. Perry, by and through their respective counsel of record, hereby stipulate and jointly petition the Court as follows;

1. For an order approving the settlement of the claims against the Montana Veterans Home and State of Montana Department of Public Health and Human Services pursuant to Mont. Code Ann. § 2-9-303, in the amount of \$20,000.00, according to the terms of the General Release attached hereto as Exhibit A and by this reference incorporated herein as though set forth in full. The parties specifically stipulate and agree that this Court may review and approve this settlement under Mont. Code Ann. § 2-9-303; and

2. For an order dismissing the above-entitled action against the Montana Veterans Home and State of Montana Department of Public Health and Human Services, with prejudice, as fully and finally compromised and settled, each party to pay their own costs and fees. A proposed Order Approving Settlement Pursuant to Mont. Code Ann. § 2-9-303 and dismissing the claims against the Montana Veterans Home and State of Montana Department of Public Health and Human Services is attached hereto as Exhibit B.

DATED this 13th day of February, 2014.

MILODRAGOVICH, DALE,
& STEINBRENNER, P.C.

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Attorneys for Defendants,

City of Columbia Falls, Mike

Johnson and David G. Perry

CERTIFICATE OF SERVICE

This is to certify that on the date below, the foregoing was duly served on the following by the following means:

 1 CM/ECF

 Hand Delivery

 2, 3 Regular Mail

 Overnight Delivery

 Facsimile

 1 Electronic Mail

1. Clerk of U. S. District Court
Missoula Division
2. W. Adam Duerk, Esq.
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/S/ Sean Goicoechea
Date: February 13, 2014